

IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claims 1, 2, 4, 5, 7, 8, 10, 11, 13-18, 20, and 32, and AMEND claims 3, 9, 19, and 21, in accordance with the following:

1-2. (CANCELLED)

3. (CURRENTLY AMENDED) A method of identifying a type of a disc, comprising:
detecting an RPM (Rotation Per Minute) of the disc; and
identifying a first disc type of comparing the RPM with a first reference value,
wherein the first reference value is in a form of RPM,

~~The method of claim 1, wherein the identifying of the first disc type includes determining that the disc is a DVD(-) type if the RPM is lower than the first reference value and that the disc is a DVD(+) type if the RPM is not lower than the first reference value.~~

4-5. (CANCELLED)

6. (ORIGINAL) The method of claim 3, further comprising:
measuring reflectivity of the disc; and
identifying a second disc type either as a one-time recordable disc type or as a re-recordable disc type by comparing the reflectivity of the disc with a second reference value.

7-8. (CANCELLED)

9. (CURRENTLY AMENDED) An apparatus identifying a type of disc, comprising:
a motor rotating the disc; and
a system controller identifying the type of the disc by comparing an RPM of the disc detected using a frequency signal generated at the motor with a first reference value,

wherein the first reference value is in a form of RPM,

~~The apparatus of claim 8, wherein the system controller determines that the disc is a DVD(-) type if the RPM is lower than the first reference value and that the disc is a DVD(+) type if the RPM is not lower than the first reference value.~~

10-11. (CANCELLED)

12. (ORIGINAL) The apparatus of claim 9, further comprising a pickup which emits light on the disc and receives light reflected by the disc, wherein the system controller determines whether the disc is a one-time recordable disc type or a re-recordable disc type according to the reflectivity measured on the basis of light received via the pickup.

13-18 (CANCELLED)

19. (CURRENTLY AMENDED) A method of identifying a disc type, comprising:
comparing a reflectivity of light from a disc to a reflective reference value;
identifying the disc type as a one-time re-recordable type if the reflectivity is higher than
the reflectivity reference value and as a re-recordable type if the reflectivity is less than the
reflectivity reference value;
comparing an RPM of the disc to a speed reference value;
identifying the disc format as a DVD(-) type disc if the RPM is lower than the speed
reference value or as a DVD(+) type if the RPM is higher than the speed reference value; and
~~The method of claim 17, further comprising:~~

setting the speed reference value to identify the disc as a DVD(-) type if the disc rotates at 2600 RPM in a stabilized wobble CLV 1X mode and as a DVD(+) type if the disc rotates at a velocity exceeding 2600 RPM.

20. (CANCELLED)

21. (CURRENTLY AMENDED) A method of identifying a disc type, comprising:
comparing a reflectivity of light from a disc to a reflective reference value;
identifying the disc type as a one-time re-recordable type if the reflectivity is higher than
the reflectivity reference value and as a re-recordable type if the reflectivity is less than the
reflectivity reference value;

comparing an RPM of the disc to a speed reference value;

identifying the disc format as a DVD(-) type disc if the RPM is lower than the speed reference value or as a DVD(+) type if the RPM is higher than the speed reference value;

setting a control mode of a spindle motor to a stable wobble CLV servo mode if the disc is identified as a DVD(-) type to control the RPM of the disc; and

The method of claim 20, further comprising:

returning a spindle motor to a control mode using FG signals before reaching a maximum RPM of the disc drive in order to protect performance of the spindle motor if the disc is identified as a DVD(+) type.

22. (ORIGINAL) The method of claim 21, wherein the returning comprises returning to the control mode when the detected RPM is 4000 to 5000 rpm.

23-30. (CANCELED)

31. (PREVIOUSLY PRESENTED) A method of identifying a type of a disc, comprising:

comparing a disc reflectivity with a first reference value;

identifying the disc as a DVD(R) type if the reflectivity is higher than the first reference value and as a DVD(RW) if the reflectivity is lower than the first reference value;

generating FG signals from a spindle motor; and

measuring an RPM of the disc using the FG(Frequency Generation) signals;

comparing a measured RPM with a second reference value; and

identifying the disc as a DVD(-) type if the RPM is lower than the second reference value and as a DVD(+) type if the RPM is higher than the second reference value.

32. (CANCELLED)